

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF MARYLAND  
Greenbelt Division**

In re:	:	Chapter 11
	:	
<b>GINA BUILDING, LLC</b>	:	<b>Case No. 10-17950</b>
	:	
<b>Debtor.</b>	:	
	:	
	<b>X</b>	

**MOTION TO VOLUNTARILY DISMISS CHAPTER 11 CASE**

NOW COMES the Debtor, through counsel, and respectfully moves to voluntarily dismiss this Chapter 11 case. In support hereof, Debtor states as follows:

1. This Court has jurisdiction over this motion pursuant to 28 U.S.C. §§ 1334 and 157. Venue in this Court is proper pursuant to 28 U.S.C. § 1409. This motion is a core proceeding within the meaning of 28 U.S.C. § 157.

2. On April 12, 2010 (the "Petition Date"), the Debtor filed a voluntary petition commencing this case under Chapter 11 of the Bankruptcy Code. The Debtor has remained as Debtor in Possession since that time.

3. The Debtor's sole tangible asset, a parcel of real estate with an outdated office building, was sold pursuant to 11 U.S.C. § 363(b), with the closing finalized on September 30, 2011.

4. While the sale satisfied all secured claims, it left insufficient proceeds to satisfy administrative expenses.

5. In light of the sale of the real estate, Debtor believes that neither remaining in Chapter 11 nor converting to Chapter 7 would serve any useful purpose.

6. 11 U.S.C. § 1112(b)(1) provides that a Chapter 11 case may be dismissed for cause if

in the best interests of creditors and the estate. Cause, under § 1112(b)(4) includes (A) continuing loss to or diminution of the estate, and (J) failure to confirm a plan by a deadline that may be set. In this case, the former would occur, absent dismissal, due to ongoing administrative expenses, and while no deadline to confirm a plan has been set, confirmation of a plan is believed to be impossible. Accordingly, cause exists, and dismissal is in the best interests of creditors.<sup>1</sup>

WHEREFORE, the Debtor respectfully requests that this case be dismissed.

Dated: December 26, 2011.

Respectfully submitted,

/s/ Daniel M. Press  
Daniel M. Press, #07300  
Chung & Press, P.C.  
6718 Whittier Ave., Suite 200  
McLean, VA 22101  
(703) 734-3800  
(703) 734-0590 fax  
[dpress@chung-press.com](mailto:dpress@chung-press.com)

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<sup>1</sup> The Debtor also does not dispute that it is not current with its monthly operating reports or U.S. Trustee fees, which may also be cause.

**CERIFICATE OF SERVICE**

This is to certify that on this 26th day of December, 2011, I caused the foregoing document to be served on the US Trustee and all parties requesting notice by CM/ECF.

/s/ Daniel M. Press

Daniel M. Press